

REMARKS/ARGUMENTS

The Office Action dated July 14, 2008, has been reviewed and carefully considered. In this response, claims 1-7, 12-15, and 18-24 have been amended. No new matter has been added. Entry of the amendments to the claims 1-7, 12-15, and 18-24 is respectfully requested. Thus, claims 1-10 and 12-24 are currently pending. Reconsideration and allowance of all of the pending claims is respectfully requested in view of the following remarks.

I. The Allowability of Claims 7, 10, and 16

Applicants note with appreciation the indication on page 8 of the Office Action that claims 7, 10, and 16 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, Applicants have opted to defer rewriting the above-identified claims in independent form pending consideration of the arguments presented below with respect to the rejected claims.

II. The Anticipation Rejection of Claims 1-6, 8, 9, 12-15, and 17-24

Claims 1-6, 8, 9, 12-15, and 17-24 are currently rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Patent No. 6,662,203 to Kling *et al* ("Kling"). This rejection is hereby respectfully traversed.

Under 35 U.S.C. § 102, the Patent Office bears the burden of presenting at least a prima facie case of anticipation. *In re King*, 801 F.2d 1324, 1326 (Fed. Cir. 1986). Anticipation requires that a prior art reference disclose, either expressly or under the principles of inherency, each and every element of the claimed invention. *Celeritas Tech., Ltd., v. Rockwell Int'l Corp.*, 150 F.3d 1354, 1361 (Fed. Cir. 1998). "In addition, the prior art reference must be enabling."

Akzo N.V. v. U.S. International Trade Commission, 808 F.2d 1471, 1479 (Fed. Cir. 1986), cert. denied, 482 U.S. 909 (1987). That is, the prior art reference must sufficiently describe the claimed invention so as to have placed the public in possession of it. In re Donohue, 766 F.2d 531, 533 (Fed. Cir. 1985). Such possession is effected only if one of ordinary skill in the art could have combined the disclosure in the prior art reference with his/her own knowledge to make the claimed invention. Id.

Regarding claims 1, 19, and 22, the Office Action asserts that Kling discloses the claimed invention. Applicants respectfully disagree. However, in order to forward the present application toward allowance, Applicants have amended claims 1, 19, and 22 to more specifically define the claimed invention, and specifically those features that differentiate the claimed invention from Kling, as well as the other cited references. In particular, Applicants respectfully submit that Kling and the other cited references, taken either alone or in combination, fail to disclose, or even suggest, a method of processing multiple incoming jobs in a reporting system, the method comprising the step of: assigning a plurality of priority values to each of the multiple incoming jobs. In contrast, Kling merely discloses that each incoming job signal has a header that includes information about a priority level of the incoming job signal. When a new incoming job signal arrives at job scheduler 30 the header is analyzed by priority analysis unit 36 and a job buffer into which the incoming job signal should be placed is identified. *See, e.g.,* column 5, lines 45-51. Accordingly, it is respectfully submitted that claims 1, 19, and 22 are allowable over Kling.

Regarding claims 2-6, 8, 9, 12-15, 17, 18, 20, 21, 23, and 24, these claims are dependent upon independent claims 1, 19, and 22. Thus, since independent claims 1, 19, and 22 should be allowable as discussed above, claims 2-6, 8, 9, 12-15, 17, 18, 20, 21, 23, and 24 should also be

allowable at least by virtue of their dependency on independent claims 1, 19, and 22. Moreover, these claims recite additional features which are not disclosed by the cited reference. For example, claim 14 recites that “the selected queue includes a plurality of sub-queues, and wherein the step of assigning each of the multiple incoming jobs a plurality of priority values includes assigning a queue priority value and a sub-queue priority value; and the step of placing each of the multiple incoming jobs into a selected queue includes placing each of the multiple incoming jobs into a the selected queue based on the queue priority value and into a selected sub-queue, within the selected queue, based on the sub-queue priority value. Also, for example, claim 18 recites moving the threads from a first queue to a second queue of the plurality of queues based on the non-random servicing scheme.

In view of the foregoing, it is respectfully requested that the aforementioned anticipation rejection of claims 1-6, 8, 9, 12-15, and 17-24 be withdrawn and reconsideration and allowance of all of the pending claims is respectfully requested.

CONCLUSION

Since the cited references, taken either singly or in combination, fail to teach or suggest the combinations set forth in the pending claims, and further fail to provide any motivation or suggestion of the desirability of modifying the structures or methods to arrive at the claimed combinations, Applicants submit that the pending claims are allowable over the cited references. Accordingly, Applicants respectfully request that the Examiner withdraw his rejections, allow the pending claims and pass the application to issue.

If the Examiner believes that a telephone conference or interview would advance prosecution of this application in any manner, the undersigned stands ready to conduct such a conference at the convenience of the Examiner.

If there are any fees due under 37 C.F.R. §1.116 or §1.117 which are not enclosed herewith, including any fees required for extension of time under 37 C.F.R. §1.136, please charge such fees to our Deposit Account No. 50-0206.

Respectfully submitted,

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Date: October 14, 2008

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